REMARKS

Claims 1 to 8, 10 and 13 to 24 were examined by the Office, and in the final Office Action of July 17, 2009 all claims are rejected. With this response claims 1, 10 and 13 are amended, claims 16, 21 and 23 are cancelled, and new claims 25 to 26 are added. All amendments and new claims are fully supported by the specification as originally filed. Support for the amendments and new claims can be found at least from pending claims 21 and 23 as well as paragraphs [0049], [0050], [0054], [0060], [0065] and [0080] of Published Application No. 2006/0073821, which corresponds to the present application. Applicant respectfully requests reconsideration and withdrawal of the rejections in light of the amendments and following remarks.

This response is submitted along with a Request for Continued Examination (RCE).

Claim Rejections Under § 102

In section 3, on page 2 of the Office Action, claims 1-8, 10 and 13-18 are rejected under 35 U.S.C. § 102 as being anticipated over Robarts et al. (U.S. Appl. Publ. No. 2004/0002843). As stated above, the limitations from claims 21 and 23 are incorporated into the independent claims. Therefore, the rejection of claim 1 will be addressed below with respect to the rejection regarding the limitations from claims 21 and 23.

Claim Rejections Under § 103

In section 5, on page 10 of the Office Action, claims 19-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Robarts et al (U.S. Appl. Publ. No. 2004/0002843) and further in view of Hull et al. (U.S. Appl. Publ. No. 2004/0224670). Applicant respectfully submits that amended independent claims 1, 10 and 13, which are substantially formed of pending independent claims 1, 10 and 13 and the subject matter of pending dependent claim 21 and 23, respectively, are patentable over Robarts and further in view of Hull, because teachings of Robarts modified by combining teachings of Hull does not result to all of the limitations recited in amended independent claims 1, 10 and 13.

Claims 1, 10 and 13 are amended on the basis of the limitation that at least one of a name and a telephone number is extracted from a phonebook at the terminal device, wherein the phonebook at the phonebook is configured to store names and telephone numbers associated with each other, and in response to the detected initiation event, a simulated message is generated, which relates to the determined properties, wherein the message is generated from data stored in a storage and the at least extracted one of the name and telephone number is provided for generating the simulated message.

In the response to Office Action, the Office explains under point 5 of the Office Action with regard to pending claim 21 that Hull teaches a mobile communication device receives a message, storing the message information to a memory (pp [26]), the device processor accesses to the stored information in a contact list in the device, e.g., name or telephone number list, comparing information from the message with the information stored in the memory and providing status indication information to the device's user accordingly (see Hull, pp [28], [41], [45]), thus Hull discloses a phonebook stored at said mobile terminal, wherein at least one of a name and a telephone number would be extracted from said phonebook and would be provided to said generation module generating said simulated message.

With respect to Robarts, the Office considers that the "simulated message" as defining in the claimed subject matter of the invention corresponds to "simulated phenomenon" returned by a "Simulation Phenomenon Interaction System" such as a ghost, playmate, animal, particular person, house, etc and a narrative, i.e. a sequence of events (a story – typically with a plot), which is represented by data (the current state and behavior of the character and the story). See Robarts paragraphs [0037] & [0055]. The Simulation Phenomenon Interaction System comprises a simulation engine, which responds to an indication request with a simulated phenomenon. See Robarts paragraphs [0040] & [0059]. Simulation Phenomenon Interaction System may be implemented mobile device, i.e. the so-called fat client mobile device. See Robarts paragraph [0070].

Hull discloses a mobile electronic communication device, which comprises a transceiver used to receive message as in known mobile electronic communication devices. See Hull paragraphs [0021] and [0023]. Once the mobile electronic communication device receives a message such as a SMS message, an e-mail message or a voice-mail message, the message is stored (see step 209 described in par [0026] of Hull). In response to storing the message, the mobile electronic communication device determines, which, if any, of the stored messages (see step 209) were stent by contacts listed in the contact list; see step 420 described in par [0045] of Hull:

"[…] *the processor unit 104* [of the mobile electronic communication device 100] *accesses message datastore 314 (FIG. 1) to compare the sender identifier (see FIG. 3) of the stored messages to information stored in the contact list.*"

"[…] *if in step 420 mobile electronic communication device 100 determines that at least one of the stored messages is from a contact listed in the contact list, step 210 terminates, thereby allowing the operational flow to proceed to step 211 (FIG. 2)*"; (see further par [0047] of Hull) and

"[…] *in step 211, mobile electronic communication device 100 (FIG. 1) performs light functions to provide an indication of the status of messages from contacts on the contact list*" (see further par [0048] of Hull).

The age category of the most recent unread message from each contact in the contact list is determined and keys corresponding to the contacts having unread messages are illuminated with light that is modulated according to the categories determined in the above step; see pars [0049] and [0050] of Hull. Hence, Hull teaches that the datastore storing messages received through the "*transceiver 102* […] *used to receive messages as in known mobile electronic communication devices* […]*, code division multiple access (CDMA), time division multiple access (TDMA), global system for mobile communication (GSM), and general packet radio service (GPRS)*" (see par [0023] of Hull), is inspected for unread messages, which have been received from a contact listed in the contact list and, if any determined, activates the status

indication by light functions, keys illuminated with light that is modulated and/or specifically colored (red light, yellow light, green light; see par [0047] and [0050] of Hull).

It is respectfully submitted that the amended subject matter of the independent claims 1, 10 and 13 distinguish over the teachings of Robarts as modified by combining teachings of Hulls in that the phonebook is access before generating the simulated message to extract at least one of a name and a telephone number and that the at least extracted one of the name and telephone number is provided for generating said simulated message, i.e. before or during generating the simulated message. In contrast thereto, teachings of Robarts as modified by combining teachings of Hulls teach that an already generated and stored message, i.e. a message stored in a datastore such as the message in-box datastore of the mobile communication device, is analyzed to determine, if any, of the stored messages were sent by contacts listed in the contact list. Teachings of Robarts as modified by combining teachings of Hulls implies that such stored message also comprise any responses generated by the simulation engine in accordance with the interactions requests with the simulated phenomenon and narrative (see for instance pars [0037] and [0040] of Robarts). However, neither Robarts nor Robarts as modified by Hull describe nor suggest that the phonebook is accessed to extract at least one of a name or telephone number, which is then provided for generating the simulated message.

Therefore, the subject matter of amended claims 1, 10 and 13 is patentable over Robarts and further in view of Hull.

The dependent claims rejected above all ultimately depend from an independent claim, and therefore are not disclosed or suggested by the cited references at least in view of their dependencies.

New Claims 25-26

New claims 25-26 ultimately depend from an independent claim, and are believed to be novel and non-obvious over the cited references at least in view of their dependencies.

Conclusion

The rejections of the Office Action having been shown to be inapplicable, withdrawal thereof is requested, and passage to issue of the present application is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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Keith R. Obert
Attorney for Applicant
Registration No. 58,051

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955